

Form 1390, 2004, for use through 31 December 2004. GPO: 065-0021

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER 21114YP
<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/517559</b>
INTERNATIONAL APPLICATION NO. PCT/US03/18482	INTERNATIONAL FILING DATE 12 June 2003	PRIORITY DATE CLAIMED 14 June 2003
<b>TITLE OF INVENTION</b> MITOTIC KINESIN INHIBITORS		
<b>APPLICANT(S) FOR DO/EO/US</b> Kenneth L. Arrington, Paul J. Coleman, Christopher D. Cox, Mark E. Fraley, Robert M. Garbaccio, George D. Hartman, William F. Hoffman		
<b>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</b>		
<ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This is an express request to begin national examination procedures [35 U.S.C. 371(f)]. The submission must include items (5), (6), (9) and (19) indicated below.</li> <li>4. <input checked="" type="checkbox"/> The US has been elected (PCT Article 31).</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed [35 U.S.C. 371(c)(2)]             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed [35 U.S.C. 371(c)(2)].</li> <li>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 [35 U.S.C. 371(c)(3)]             <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 [35 U.S.C. 371(c)(3)].</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) [35 U.S.C. 371(c)(4)].</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 [35 U.S.C. 371(c)(5)].</li> </ol>		
<b>Items 11 to 18 below concern other document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>14. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li>18. <input type="checkbox"/> Other items or information:</li> </ol>		
<b>EXPRESS MAIL CERTIFICATE</b> <b>DATE OF DEPOSIT</b> <u>DEC. 8, 2004</u> <b>EXPRESS MAIL NO.</b> <u>2V421343576US</u> <b>I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS</b> <b>BEING DEPOSITED WITH THE UNITED STATES POSTAL</b> <b>SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"</b> <b>ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO</b> <b>COMMISSIONER FOR PATENTS, P.O. BOX 1450,</b> <b>ALEXANDRIA, VIRGINIA 22313-1450.</b>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/517559</b>	INTERNATIONAL APPLICATION NO. PCT/US03/18482	ATTORNEY'S DOCKET NUMBER <b>DT05 Rec'd PCT/PTO 08 DEC 2004 21114YP</b>		
19. <input checked="" type="checkbox"/> The following fees are submitted:  <b>BASIC NATIONAL FEE [37 CFR 1.492(a)(1)-(5)]:</b>		<b>CALCULATIONS</b> <b>PTO USE ONLY</b>		
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee [37 CFR 1.445(a)(2)] paid to USPTO and International Search Report not prepared by the EPO or JPO.....		\$1,110.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....		\$950.00		
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee [37 CFR 1.445(a)(2)] paid to USPTO .....		\$790.00		
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....		\$750.00		
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4).....		\$100.00		
<b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>		\$750.00		
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than 30 months from the earliest claimed priority date [37 CFR 1.492(e)].				
Claims	Number Filed	Number Extra	Rate	
Total Claims	30 - 20 =	10	X \$18.00	\$180.00
Independent Claims	4 - 3 =	1	X \$88.00	\$88.00
Multiple dependent claim(s) (if applicable)			+ \$300.00	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>		\$1,018.00		
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
<b>SUBTOTAL =</b>		\$1,018.00		
Processing fee of <b>\$130.00</b> for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)].		+		
<b>TOTAL NATIONAL FEE =</b>		\$1,018.00		
Fee for recording the enclosed assignment [37 CFR 1.21(h)]. The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property.		+		
<b>TOTAL FEES ENCLOSED =</b>		\$1,018.00		
		Amount to be refunded		
		charged		
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-2755</u> in the amount of <u>\$1,018.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to the Deposit Account No. <u>13-2755</u>. A duplicate copy of this sheet is enclosed.</p>				
<p><b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive [37 CFR 1.137(a) or (b)] must be filed and granted to restore the application to pending status.</b></p>				
<p>SEND ALL CORRESPONDENCE TO:</p> <p><b>Customer No. 000210</b></p> <p>MERCK &amp; CO., INC.      Patent Department, RY60-30      P.O. Box 2000      126 East Lincoln Avenue      Rahway, New Jersey 07065-0970</p>				
 <b>SIGNATURE</b> <p><u>David A. Muthard</u>      NAME</p>				
<p>DATE: <u>December 8, 2004</u></p> <p>PHONE #: <u>(732) 594-3903</u></p> <p><b>35.297</b>      REGISTRATION NUMBER</p>				